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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,402	07/23/2003	John von Voros	33565.2	9080
27683	7590	08/20/2004	EXAMINER	
HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			HAMMOND, BRIGGITTE R	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 08/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/625,402

Applicant(s)

VOROS, JOHN VON

Examiner

Brigitte R. Hammond

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claim 29 is objected to because of the following informalities: it is unclear to the Examiner exactly what is the "extension device". For purposes of examination the Examiner shall assume extension receptacle.

**Appropriate correction is required.**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 19-21,23,25,28-30 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Walbeck et al. 6,747,859.

5Regarding claim 19, Walbeck et al. disclose a network device 200, comprising a housing (not numbered), circuitry within the housing (col. 5, lines 58-60), for communicating information between first and second communication devices, wherein the circuitry includes a first connection for connecting to the first communication device, a second connection for connecting to the second communication device, and a power connection for connecting the circuitry to an alternating current power source ; a group

of electrical prongs 202, mounted to the housing, for insertion into at least one primary receptacle 201 of the alternating current power source, and for mechanically supporting at least a portion of the housing's weight when the group of electrical prongs is so inserted, wherein at least a portion of the group of electrical prongs is connected to the power connection for connecting the circuitry to the alternating current power source via the power connection and the group of electrical prongs when the group of electrical prongs is so inserted; and an extension receptacle 207, mounted to the housing and connected to the group of electrical prongs, into which a plug of an extension device is insertable, for connecting the extension device to the alternating current power source via the plug and the group of electrical prongs when the plug and the group of electrical prongs are so inserted.

Claims 37,39,42,48-53,56 and 58 are rejected under 35 U.S.C. 102(e) as being anticipated by Walbeck et al. 6,747,859. Regarding claim 37, Walbeck et al. disclose a network device 200, comprising: a housing (not numbered); circuitry within the housing (col. 5, lines 58-60) for communicating information between first and second communication devices, wherein the circuitry includes a first connection, a second connection and a power connection (connections not shown) and a group of electrical prongs 302,303, mounted to the housing, wherein at least a portion of the group of electrical prongs is connected to the power connection for connecting the circuitry to the alternating current power source via the power connection and the group of electrical prongs when the group of electrical prongs is so inserted.

Regarding claim 52, the second connection of Walbeck et al. could be used for connecting to the second device via a second wire.

Regarding claim 20, the extension device is a first extension device, wherein the plug is a first plug of the first extension device, and comprising: a second extension receptacle 307, mounted to the housing and connected to the group of electrical prongs, into which a second plug of a second extension device is insertable, for connecting the second extension device to the alternating current power source via the second plug and the group of electrical prongs when the second plug and the group of electrical prongs are so inserted.

Regarding claim 21, Walbeck et al. includes first and second electrical prongs 302, 303.

Regarding claim 23, the circuitry of Walbeck et al. includes a surge protection module (see col. 7, lines 38-40 and col. 8, lines 23-24).

Regarding claims 25 and 39, the connection of Walbeck et al. could be used for connecting to the second communication device via a wireless medium.

Regarding claims 28 and 42, the circuitry is mounted to the housing and the group of electrical prongs is mounted to the housing by mounting to the circuitry (col. 5, lines 57-64).

Regarding claim 29, the second communication device is the extension receptacle.

Regarding claim 30, the primary receptacle (at 201) of Walbeck et al. has a connector type and the extension receptacle 207 has the same connector type.

Regarding claims 36 and 48, the communication devices (not shown) are external to the housing.

Regarding claims 49-51, 53 and 56, Walbeck et al. disclose a parallel connection 206, an USB serial connection 256, an Ethernet connection and a print device (col. 5, lines 50-55).

Regarding claim 58, Walbeck et al. disclose the receptacle (at 201) is a primary receptacle, and comprising: an extension receptacle 307, mounted to the housing and connected to the group of electrical prongs, into which a plug of an extension device is insertable, for connecting the extension device to the alternating current power source via the plug and the group of electrical prongs when the plug and the group of electrical prongs are so inserted.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4, 6, 8, 9 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walbeck et al. in view of Applicant's Admitted Prior Art (AAPA) as disclosed on col. 5, lines 58-60 of the instant application. Regarding claim 1, Walbeck et al. disclose a network device 200, comprising, a housing (not numbered), circuitry within the housing for multiplexing a communication of information between first and second

communication (col. 5, lines 58-60), wherein the circuitry includes a first connection, a second connection and a power connection (not shown), a group of electrical prongs 302,303, mounted to the housing, for insertion into at least one primary receptacle of the alternating current power source, and for mechanically supporting at least a portion of the housing's weight when the group of electrical prongs is so inserted, wherein at least a portion of the group of electrical prongs is connected to the power connection, a first extension receptacle 207, mounted to the housing and connected to the group of electrical prongs, into which a first plug of a first extension device is insertable, for connecting the first extension device to the alternating current power source via the first plug and the group of electrical prongs when the first plug and the group of electrical prongs are so inserted; and a second extension receptacle 307, mounted to the housing and connected to the group of electrical prongs, into which a second plug of a second extension device is insertable, for connecting the second extension device to the alternating current power source via the second plug and the group of electrical prongs when the second plug and the group of electrical prongs are so inserted. Walbeck et al. do not disclose a third connection for connection to a third communication device. However, extra connections are well known in the art as evidenced by AAPA. AAPA discloses on page 3, lines 19-20 of the instant application a third connection for connection to a third communication device. Therefore, it would have been obvious to one of ordinary skill to modify the device of Walbeck et al. by including a third connection for connection to a third communication device as taught by AAPA.

Regarding claims 3 and 6, the circuitry of Walbeck et al. includes a surge protection module (see col. 7, lines 38-40 and col. 8, lines 23-24).

Regarding claim 4, Walbeck et al. includes first and second electrical prongs 302, 303.

Regarding claim 8, Walbeck et al. the connection of Walbeck et al. could be used for connecting to the second communication device via a wireless medium.

Regarding claim 13, Walbeck et al. discloses the primary receptacle 201 has a connector type, and wherein the first extension receptacle has the connector type.

Regarding claims 9 and 40, Walbeck et al. do not disclose the circuitry being for selecting a manner of communications. However AAPA discloses a device having circuitry (for switches 34) for selecting a manner of communications. Therefore it would have been obvious to one of ordinary skill to modify the device of Walbeck et al. by including circuitry for switching a manner of communications as taught by AAPA.

Claims 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walbeck et al. and AAPA as described in claim 1 above, and further in view of Vora 5,719,450. Neither AAPA nor Walbeck et al. disclose the circuitry having a power conditioner. However, Vora discloses circuitry having a power conditioner 13. It would have been obvious to one of ordinary skill to modify the circuitry of the device of Walbeck et al. by including a power conditioner to condition the power as taught by Vora.

Claims 7 and 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walbeck et al. and AAPA as described in claims 1 and 9 above, and further in view of



Nilssen 4,712,019. Walbeck et al. disclose the invention substantially as claimed. Neither AAPA nor Walbeck et al. do not disclose the circuitry being remotely controllable by the communication device. However, Nilssen disclose a device a,b having circuitry being remotely controllable by the communication device RCM. It would have been obvious to one of ordinary skill to modify the device of Walbeck et al. by having the circuitry be remotely controllable by the communication device as taught by Nilssen for remote controllability.

Claims 14-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walbeck et al. and AAPA as described in claim 1 above, and further in view of Candeloro 6,045,374. Walbeck et al. and AAPA disclose the invention substantially as claimed. Walbeck et al. discloses the primary receptacle 201 being mounted within a wall and is exposed to an outer surface of the wall. Neither AAPA nor Walbeck et al. disclose a screw structure for securing the housing to the wall when the group of electrical prongs is inserted. However, Candeloro discloses a device housing 322 comprising a screw structure 217. It would have been obvious to one of ordinary skill to modify the device housing of Walbeck et al. by adding a screw structure for securing/locking the housing to the wall as taught by Candeloro.

Claims 24, 27 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walbeck et al. in view of Nilssen 4,712,019. Walbeck et al. disclose the invention substantially as claimed. Walbeck et al. do not disclose the circuitry being remotely controllable by the communication device. However, Nilssen disclose a device a,b having circuitry being remotely controllable by the communication device RCM. It would

have been obvious to one of ordinary skill to modify the device of Walbeck et al. by having the circuitry be remotely controllable by the communication device as taught by Nilssen for remote controllability.

Claims 31-33, 35, 43-45 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walbeck et al. in view of Candeloro 6,045,374. Walbeck et al. disclose the invention substantially as claimed. Walbeck et al. discloses the primary receptacle 201 being mounted within a wall (not shown) and being exposed to an outer surface of the wall. Walbeck et al. does not disclose a screw structure for securing the housing to the wall when the group of electrical prongs is inserted. However, Candeloro discloses a device housing 322 comprising a screw structure 217. It would have been obvious to one of ordinary skill to modify the device housing of Walbeck et al. by adding a screw structure for securing/locking the housing to the wall as taught by Candeloro.

Regarding claim 35, structure is for securing the housing to the wall by securing the housing to the receptacle.

Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walbeck et al. and AAPA as described in claim 1 above, and further in view of Nilssen 4,712,019. Walbeck et al. and AAPA disclose the invention substantially as claimed. Neither AAPA nor Walbeck et al. disclose the circuitry being remotely controllable by the communication device. However, Nilssen disclose a device a,b having circuitry being remotely controllable by the communication device RCM. It would have been obvious to one of ordinary skill to modify the device of Walbeck et al. by having the

circuitry be remotely controllable by the communication device as taught by Nilssen for remote controllability.

Claims 26 and 54-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walbeck et al. Walbeck et al. disclose in col. 5, lines 50-54, that the connector 256,206 can be used for various connections. Therefore it would have been obvious to one of ordinary skill to make the connection to a wide area network, global computer network or to a print device via a print server for optimum configurations as taught by Walbeck et al.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walbeck et al., AAPA and Candeloro as described in claim 16 above, and further in view of DeVries 6,519,208. Walbeck et al. , Candeloro and AAPA disclose the invention substantially as claimed. Neither AAPA, Candeloro nor Walbeck et al. disclose the locking device structure including a cover for selectively preventing access to the screw. However, DeVries disclose a locking device structure 10 including a cover 14 for selectively preventing access to the screw 42. Therefore it would have been obvious to one of ordinary skill to make the locking device structure include a cover as taught by DeVries for protecting the screw.

Claims 34 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walbeck et al. and Candeloro as described in claim 33 above, and further in view of DeVries 6,519,208. Walbeck et al. and Candeloro disclose the invention substantially as claimed. Neither Candeloro nor Walbeck et al. disclose the locking device structure including a cover for selectively preventing access to the screw.

However, DeVries disclose a locking device structure 10 including a cover 14 for selectively preventing access to the screw 42. Therefore it would have been obvious to one of ordinary skill to make the locking device structure include a cover as taught by DeVries for protecting the screw.

### ***Conclusion***

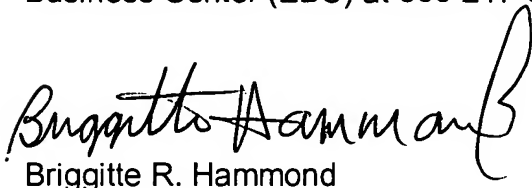
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Federowicz 5,424,587 and Hartman et al. 6,380,852 were cited for similar communication systems and Holbrook, Jr. 5,556,289 was cited for a similar outlet cover.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brigitte R. Hammond whose telephone number is 571-272-2006. The examiner can normally be reached on Mon.-Thurs. and Alternate Fridays from 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A Bradley can be reached on 571-272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2833

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Brigitte R. Hammond

August 18, 2004